

FORMAL COMPLAINT AND NOTICE OF PROCEDURAL VIOLATIONS

(Prepared for potential submission to national courts and the European Court of Human Rights)

Applicant:

Simon Chikhladze

DOB: August 3, 1952/Identification # 01024007141

Respondent Authorities:

Ministry of Internal Affairs of Georgia

Prosecutor's Office of Georgia

I. Subject Matter

This submission concerns:

1. **Irregular and unlawful police contact** made outside formal procedural safeguards;
2. **Failure to properly investigate serious criminal allegations**, including allegations of torture;
3. **Potential breach of confidentiality and procedural integrity** in the handling of prior complaints.

II. Factual Background

- The Applicant previously submitted detailed reports to:
 - the Prosecutor's Office,
 - the Public Defender,
 - and the State Security Service of Georgia,
- concerning **serious criminal acts**, including torture and involvement of organized actors.
- These submissions did not result in an effective investigative response.
- On April 22, 2026, the Applicant received a phone call from the number **+995 597 797 464**, from an individual claiming to represent a police unit located on Gagarin Street.
- During the call:
 - the caller addressed the Applicant by name without prior identification;
 - failed to provide rank, or legal authority;
 - did not reference any registered case;
 - asked informal and vague questions ("whether you still have a problem").
- No written communication, summons, or procedural explanation was provided.

III. Legal Assessment

1. Violation of Article 3 (Procedural Limb) – European Convention on Human Rights

Where credible allegations of torture or inhuman treatment are raised, the State is under a **positive obligation** to:

- conduct an effective, independent, and prompt investigation;
- ensure proper procedural handling;
- protect the integrity of the complainant.

The informal and undocumented contact described above demonstrates:

- absence of a structured investigative framework;
- lack of procedural safeguards;
- failure to meet minimum standards of effectiveness.

2. Violation of Article 13 – Right to an Effective Remedy

The Applicant has been deprived of an effective remedy due to:

- absence of clear procedural status of the complaint;
- lack of access to formal investigative proceedings;
- inability to challenge inaction or irregular conduct.

An informal phone inquiry **cannot substitute** a legally effective remedy.

3. Violation of Article 8 – Protection of Private Life and Data

The handling of the Applicant's personal data raises concerns that:

- sensitive information may have been accessed or disseminated without proper safeguards;
- the identity and contact details of the Applicant were used outside formal procedure.

4. Procedural Irregularities under Domestic and International Standards

The conduct of the caller:

- fails to meet basic requirements of identification and accountability;
- bypasses formal communication channels;
- undermines legal certainty and transparency.

Such conduct is incompatible with the rule of law and due process guarantees.

IV. Exhaustion of Domestic Remedies

This complaint is submitted in order to:

- formally notify national authorities of the violations;
- seek clarification and corrective action;
- establish a documented record of procedural deficiencies.

Should the authorities fail to provide an adequate and effective response, the Applicant reserves the right to pursue remedies before the **European Court of Human Rights**.

V. Requests

The Applicant respectfully requests:

1. Formal identification of the person who initiated the phone contact (name, rank, unit);
2. Confirmation whether the phone number used is officially assigned;
3. Clarification of the procedural status of previously submitted complaints;
4. Assurance that an **independent, effective, and properly documented investigation** is initiated or ongoing;
5. Confirmation that the Applicant's data has not been unlawfully disclosed.

VI. Notice

The Applicant:

- declines to engage in informal or undocumented communication;
- requires all further interaction to occur through **formal legal channels**;
- reserves the right to initiate further legal proceedings at national and international levels.

VII. Final Statement

The manner in which the Applicant has been contacted and the apparent absence of procedural safeguards demonstrate a **systemic failure to ensure effective investigation and legal protection** in a case involving serious allegations.

Such deficiencies engage the responsibility of the State under the European Convention on Human Rights.

Simon Chikhladze

April 22, 2026

Email: chosila1952@gmail.com